



Aboriginal Catholic Ministry

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Dr J Purdy - Research
Joint Select Committee on End of Life Choices
Legislative Assembly Committee Office
Level 1, 11 Harvest Terrace
West Perth WA 6005
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We Greet the Committee Members

The Aboriginal Catholic Ministry (ACM) is a non-profit organisation of the Archdiocese of Perth. It was founded in 1975 to promote the spiritual, cultural and social development of people of Aboriginal descent within the Perth metro and surrounding areas. When we work within and outside the Aboriginal Catholic community to build relationships between Aboriginal and non-Aboriginal people as well as the faith and culture of our mob.

Among our many initiatives and activities, the ACM team visits community in their homes, hostels and in hospitals. As a result of this work, ACM has established their presence especially at Sir Charles Gardiner Hospital, Fremantle Hospital and Royal Perth Hospital. One of our roles is to walk alongside families and individuals as they try to make sense of past and present trauma in their lives. In bearing the honour of engaging with community, ACM is highly sensitive to initiatives that risk additional harm to vulnerable and marginalised communities.

Submission to the Joint Select Committee on End of Life Choices

ACM commends the Parliament of Western Australia in considering end of life management, and expresses the hope that the Committee thus convened will produce a wise life-affirming Report.

For the purposes of this Submission, ACM will use the shorthand of "euthanasia" to include and not be limited to expressions such as "voluntary euthanasia", "assisted suicide" and "assisted dying".

Term of Reference One: medical practices at the end of life

ACM submits to the Committee the following:

1. Risk to (an already fragile) Doctor-Patient Relationship

A power imbalance exists between patient and doctor in any community. In an Aboriginal context, this imbalance is compounded culturally and historically, with some Aboriginal people being very wary and hesitant to report ill health due to worries and fears of the health system. So, efforts to overcome suspicion around Western medicine



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will be hampered if euthanasia is introduced. These practices will result in an unavoidable and obvious contradiction between caring for Aboriginal health whilst having the power to end Aboriginal life. No good government would allow this to happen.

2. Vulnerability in accessing health care

There are already concerning issues in Aboriginals accessing health care. Mackinolty's 1997 study of the Northern Territory's "Rights Of the Terminally Ill" (ROTI) deduced that

"I believe the existence of the [ROTI] legislation poses an unacceptable risk to the health of Aboriginal Territorians who may delay or refuse to access health care because of fears they have of the legislation. Those fears are deeply embedded in Aboriginal world views. Put simply, it has the potential to lead to premature deaths amongst a group of people whose life expectancy is already unacceptably low.ⁱ"

3. Continued unequal access to Palliative Care

(a) ACM understands that Palliative Care addresses not just the physical dimension of health, but also the spiritual, emotional and social dimensions. ACM is grateful for being permitted to reach out to Aboriginal peoples who are in hospitals. Our team has observed that there are practical challenges in metropolitan services to deliver that quality of palliative care which allows for the larger social networks that support sick Aboriginal patients.

(b) Rosenwax & McNamara (2006) noted that Aboriginal people (along with the widowed, those aged over 85 and those in regional areas) were less likely to have access to palliative care services.ⁱⁱ ACM highlights the date of this report, and asks if there has been any change in the past decade to ameliorate this situation?

4. High rate of suicide

ACM cares about the alarming rate of suicide in our Aboriginal community, and has witnessed firsthand the trauma and grief that flow from such actions. It is already noted that the rate of suicide in Aboriginal communities is higher than in other populations. If euthanasia were legislated, a conflicting double message is sent that some forms of suicide are acceptable. We feel that we need to be investing resources in support for people who are experiencing pain and discomfort, so they can experience their dignity and value, rather than sending a message that some lives are more worth living than others.

5. Elder abuse

Within Aboriginal culture, Elders are pivotal. They hold wisdom and knowledge of our land, culture and community. It is important that their lives are respected and that they are valued, respected and treated with dignity not as a burden to community. In light of the intergenerational stress that Aboriginal peoples continue to endure, ACM questions



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how the already well documented instances of elder abuse will be exacerbated by pro euthanasia legislation.

Term of Reference Two: review of relevant material from Australian Territories

The Aboriginal prohibition on euthanasia was rejected when the Northern Territory legislated their "Rights of the Terminally Ill" Act in 1995. This prohibition continues to speak through the ages today. Therefore, ACM asks this Committee not to ignore or dismiss the Aboriginal peoples in Western Australia.

ACM Recommendations for the Committee's Report

- Increased efforts to educate all Western Australians (not just Aboriginal peoples) on palliative care, particularly the principle of double effect
- Increased access to palliative care for Aboriginal peoples so that Australia moves towards a greater equality of treatment for all
- A clear statement that the Committee of End of Life Choices does not recommend the Western Australian Parliament to change laws that permit euthanasia

As a representative of ACM, I seek leave to appear before the Committee to further elucidate on the opportunities before the WA Parliament to continue their efforts in the betterment of the Original Custodians of this fair Land.

In the Spirit of Reconciliation

Vicky Burrows

Reg Carnamah

Donna Kyder

Aboriginal Catholic Ministry Team

ⁱ Mackinolty, C., 1997, Euthanasia – Right Legislation: Wrong jurisdiction? *Alternative Law Journal* Vol 22, No 2, 68-71.

ⁱⁱ Rosenwax, LK & McNamara, BA, 2006, Who received specialist palliative care in Western Australia- and who misses out? *Palliative Medicine* 20(4): 439-45